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DEPARTMENT OF THE ARMY
U.S. ARMY CRIMINAL INVESTIGATION COMMAND
87th Military Police Detachment (CID)
3d Military Police Group (CID), Building 8-1221 Randolph Street, Fort Bragg,
North Carolina 28310-831

16 Jul 2004

MEMORANDUM FOR: SEE DISTRIBUTION

SUBJECT: CID REPORT OF INVESTIGATION - FINAL (C)/SSI - 0384-2004-CID023-67275 -
5X1 / 5Y2B7 / 5Y2E

DATES/TIMES/LOCATIONS OF OCCURRENCES:

1. 21 DEC 2003, 0001 - 21 DEC 2003, 2359; DIVISION CENTRAL COLLECTION
POINT (LB960873), IRAQ

DATE/TIME REPORTED: 28 MAY 2004, 0700

INVESTIGATED BY:

SA (b)(6) (b)(7)(C), (b)(7)(E)
SA
SA

SUBJECT:

1. (b)(6) (b)(7)(C) SPC; (b)(6) (b)(7)(C) MALE; WHITE; 855TH MP
COMPANY, 10222 N 7TH STREET, PHOENIX, AZ 85020; NG ; CONSPIRACY, FAIL TO
OBEY GENERAL ORDER, CRUELTY AND MALTREATMENT (NFI)

2. (b)(6) (b)(7)(C) SGT; (b)(6) (b)(7)(C) MALE; 855TH MP
COMPANY, 10222 N 7TH STREET, PHOENIX, AZ 85020; NG ; CONSPIRACY, FAIL TO
OBEY GENERAL ORDER, CRUELTY AND MALTREATMENT (NFI)

3. (b)(6) (b)(7)(C) SGT; (b)(6) (b)(7)(C) FEMALE; WHITE; D
COMPANY, 313TH MILITARY INTELLIGENCE BATTALION (82ND AIRBORNE
DIVISION), FORT BRAGG, NC 28310; FC ; CONSPIRACY, FAIL TO OBEY GENERAL
ORDER, CRUELTY AND MALTREATMENT (NFI)

4. (b)(6) (b)(7)(C) SPC; (b)(6) (b)(7)(C) MALE; 855TH MP
COMPANY, 10222 N 7TH STREET, PHOENIX, AZ 85020; NG ; CONSPIRACY, FAIL TO
OBEY GENERAL ORDER, CRUELTY AND MALTREATMENT (NFI)

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VICTIM:

1. UNKNOWN, ; CONSPIRACY, FAIL TO OBEY GENERAL ORDER, CRUELTY AND MALTREATMENT (NFI)
2. U.S. GOVERNMENT (CJTF-7); FAIL TO OBEY GENERAL ORDER

INVESTIGATIVE SUMMARY:

This investigation was initiated upon notification from the Office of the Secretary of Defense that a photograph suspected to depict US Army personnel abusing an Iraqi detainee was found.

Investigation established probable cause to believe SGT (b)(6) (b)(7)(C), SGT (b)(6) (b)(7)(C) SPC (b)(6) (b)(7)(C) and SPC (b)(6) (b)(7)(C) committed the offenses of Conspiracy, Failure to Obey a General Order, and Cruelty and Maltreatment when they posed for an inappropriate photograph with detainees.

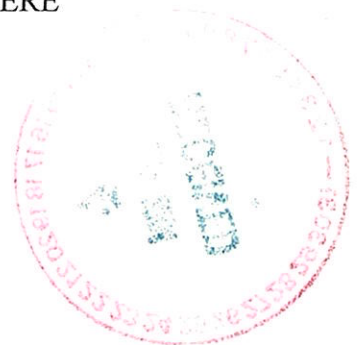
STATUTES:

- Art 81, UCMJ: Conspiracy
- Art 92, UCMJ: Fail to Obey General Order
- Art 93, UCMJ: Cruelty and Maltreatment

EXHIBITS/SUBSTANTIATION:

Attached:

1. Agent's Investigative Report (AIR) of SA (b)(6) (b)(7)(C), 28 May 04, detailing the Basis for Investigation; Interview of Subjects; and Other Investigative Activity.
2. Photograph depicting SGT (b)(6) (b)(7)(C) SPC (b)(6) (b)(7)(C) and SPC (b)(6) (b)(7)(C) standing next to an Iraqi detainee while SGT (b)(6) (b)(7)(C) is pointing a broom at the detainee.
3. Waiver Certificate and Sworn Statement of SGT (b)(6) (b)(7)(C) 1 Jul 04, wherein she detailed the photo of her standing next to SPC (b)(6) (b)(7)(C) and SPC (b)(6) (b)(7)(C) while she pointed a broom at an Iraqi detainee, while working at the detention facility at St. MERE Forward Operating Base (FOB).



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4. AIR of SA (b)(6) (b)(7)(C) 11 Jun 04, detailing Other Investigative Activity.

5. Waiver Certificate and Sworn Statement of SPC (b)(6) (b)(7)(C) 11 Jun 04, wherein he detailed the photo of himself and SPC (b)(6) (b)(7)(C) standing next to SGT (b)(6) (b)(7)(C) while she pointed a broom at an Iraqi detainee, taken while he worked at the detention facility at St. MERE FOB.

6. AIR of SA (b)(6) (b)(7)(C) 07 Jul 04, detailing Other Investigative Activity.

7. Waiver Certificate and Sworn Statement of SPC (b)(6) (b)(7)(C) 07 Jul 04, wherein he detailed the photo of himself and SPC (b)(6) (b)(7)(C) standing next to SGT (b)(6) (b)(7)(C) while she pointed a broom at an Iraqi detainee, taken while he worked at the detention facility at St. MERE FOB.

8. AIR of SA (b)(6) (b)(7)(C) 15 Jul 04, detailing Other Investigative Activity.

9. 15-6 Investigation Report of MAJ (b)(6) (b)(7)(C) 21 Jun 04.

Not Attached:

None.

The originals of Exhibits 1, 4, 6, and 8 were retained in the files of this office. The original of Exhibit 2 was destroyed. The originals of Exhibits 3, 5, 7 were maintained in the files of this office pending adjudication. The original of Exhibit 9 is retained at Headquarters 319th MI Bn, 82nd Airborne Division.

STATUS: This is a Final (C) Report. This investigation is being terminated in accordance with Section V, paragraph 4-17(4), CIDR 195-1, in that the supported staff judge advocate or prosecutor is of the opinion that sufficient admissible evidence is available to prosecute the subject for the offense(s), that additional investigation would produce only cumulative and unneeded evidence. Leads remaining include the interview of the Iraqi detainees depicted in the photograph. Commanders Report of Disciplinary Action Taken, DA Form 4833, pertaining to SPC (b)(6) (b)(7)(C), SGT (b)(6) (b)(7)(C), SGT (b)(6) (b)(7)(C) and SPC (b)(6) (b)(7)(C) is pending.

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REPORT PREPARED BY

REPORT APPROVED BY

(b)(6) (b)(7)(C)
SA (b)(6) (b)(7)(C), (b)(7)(E)
Sp

(b)(6) (b)(7)(C)
Special Agent-in-Charge

DISTRIBUTION:

1-The Adjutant General, MG (b)(6) (b)(7)(C) Arizona National Guard, 5636 E. McDowell Street, Phoenix, AZ 85008
1-Action Commander, COL (b)(6) (b)(7)(C) 98th Troop Command, 3933 West Valley Mine Drive, Tucson, AZ 85745
CDR USACIDC CURRENT OPNS (DETAINEE ABUSE CASES)
1-Action Commander thru Commander, 313th MI BN, fort Bragg, NC 28310
to Commander, D Company, 313th MI BN, fort Bragg, NC 28310
1 - Commander, USACIDC, ATTN: DSCOPS, 6010 6th Street, Ft Belvoir, VA 22060
CHIEF OF STAFF, 18TH AIRBORNE CORPS, (COL (b)(6) (b)(7)(C))
CHIEF OF STAFF, 82ND AIRBORNE DIVISION, COL (b)(6) (b)(7)(C)
CID CRIMINAL INTELLIGENCE CENTER (MR (b)(6) (b)(7)(C))
Commander, 10th Military Police BN, Fort Bragg, NC (LTC (b)(6) (b)(7)(C))
COMMUNITY PROVOST MARSHAL, FORT BRAGG (LTC (b)(6) (b)(7)(C))
COMMANDER, 902D MILITARY INTELLIGENCE (SA (b)(6) (b)(7)(C))
DEPUTY GARRISON COMMANDER, FBNC (MR (b)(6) (b)(7)(C))
PMO BLOTTER CLERK
PMO OPERATIONS SGT (MSG (b)(6) (b)(7)(C))
PROVOST MARSHAL 82ND AIRBORNE DIVISION (MAJ (b)(6) (b)(7)(C))
PROVOST MARSHAL, XVIII ABN CORPS (COL (b)(6) (b)(7)(C))
SJA, 82ND AIRBORNE DIVISION (MAJ (b)(6) (b)(7)(C))
Cdr, 10th MP Bn, Ft Bragg, NC
Commander, 3rd MP Group, USACIDC (Operations), Fort Gillem, GA
1 - Director, USACRC, 6010 6th Street, Ft Belvoir VA 22060 (Original)
1-FILE